

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION**

1:21-cv-00270

Rupa Vickers Russe)
Plaintiff,) PLAINTIFF'S OBJECTION TO
v.) ATTORNEYS LONG AND
Cindie Harman,) ANDERSON
Defendant.) NOTICES OF APPEARANCE

NOW COMES Plaintiff, by and through undersigned counsel, and files this Motion in response to Attorneys Robert Long, Jr. and Phillip Scott Anderson's Notice of Appearances.

Plaintiff was first notified of both Attorneys Long and Anderson's intent to represent Defendant on Friday March 25, 2022 when they filed their notice of appearances in this Court's CM/ECF system.

Both Attorneys Long and Anderson are members of the law firm Van Winkle, the same law firm who represented Plaintiff in a case in 2019, the subject of which Defendant made false, inaccurate statements about Plaintiff on her blog, and which directly relate to this lawsuit.

In 2019, Plaintiff was a Defendant in a [REDACTED] civil case involving her 15 year old daughter. Plaintiff was represented by Katherine Fisher, Esq. who was then and remains today an Attorney in practice at the Van Winkle Law Firm. During her representation of Plaintiff, Attorney Fisher appeared in court on behalf of Plaintiff and engaged in settlement negotiations with the Plaintiff's daughter and her court appointed representative, her grandmother. During Attorney Fisher's representation of Plaintiff, she communicated with other staff members in the Van

Winkle law firm regarding privileged information. Following a hearing, the claims were held to be without merit, and Plaintiff prevailed.

On Friday, March 25, 2022 Plaintiff contacted Attorney Fisher by email to notify her of the conflict. On Monday, March 25, 2022 Plaintiff, by and through her counsel, notified both Attorneys Long and Anderson of the conflict.

Plaintiff objects to the appearance of both Attorneys Long and Anderson, pursuant to North Carolina Rules of Professional Conduct 1.9, as Van Winkle is in possession of information that will likely disadvantage Plaintiff in this matter; and pursuant to 1.10(2), as the matter is “substantially related” to the defamatory statements Defendant made on her blog about Plaintiff, and there is a remaining Attorney in the firm who has information protected by Rules 1.6 (confidentiality) and 1.9(c) that is material to the matter.

For this substantial reason, Plaintiff objects to the appearance of Attorneys Robert Long, Jr and Phillip Scott Anderson in this matter.

Respectfully submitted this the 6th of April, 2022,

BY:

/s/Brooke Scott
Brooke Scott
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this date she served a copy of the foregoing PLAINTIFF'S REPLY TO ATTORNEYS LONG AND ANDERSON NOTICES OF APPEARANCES upon the Defendant listed below by filing the documents with the CM/ECF's system which Defendant's Attorneys of record, Robert Long, Jr. and Phillip Scott Anderson are authorized, registered users.

This the 6th of April, 2022.

BY:

/s/Brooke Scott
Brooke Scott
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